

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff

v.

LUIS SANTANA MENDOZA,

Defendant

CRIMINAL NO. 98-295(JAF)

**UNITED STATES OF AMERICA'S OPPOSITION TO
U.S.PROBATION OFFICE'S MOTION FOR SOME REMEDY**

TO THE HONORABLE COURT:

COMES NOW the United States of America, by and through the undersigned attorneys, and very respectfully states and prays as follows:

1. On August 13, 2008, the United States Probation Office filed a motion requesting that defendant Luis Santana Mendoza be afforded sixty (60) days to surrender to the U.S. Marshals and begin serving his sentence.

2. Defendant was sentenced over eight years ago to a term of twelve months. He was informed that he had to surrender to the U.S. Marshals to commence serving his sentence. He was released from a nine day stay in a psychiatric institution almost two months ago.

3. The Probation officer states that the defendant is in an out-patient mental health treatment. There is no mention of the kind of treatment being received, its length, or where it is offered and by whom. This information would be needed to consider whether the defendant's duty to surrender immediately to the U.S. Marshals to commence serving the sentence imposed eight years ago should be delayed.

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WHEREFORE, the United States respectfully requests that the U.S. Probation Office files forthwith the above specified information missing from the record in order to determine if defendant's surrender should be delayed and up to what period of time, if applicable.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16th day of June, 2008.

ROSA E. RODRIGUEZ-VELEZ
United States Attorney

s/ Desirée Laborde-Sanfiorenzo

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

s/ Desirée Laborde-Sanfiorenzo
Assistant United States Attorney